## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Examiner:

To Be Assigned

Frank C. Barker

Art Unit:

To Be Assigned

Application No.:

10/603,214

Filed:

June 25, 2003

Method and Packaging for Pressurized Containers

ovember

Bonnie Stein

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.56, 1.97 AND 1.98

Mail Stop Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

 $\boxtimes$ This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

<u></u> כ	(b)	This	s Information Disclosure Statement is filed after the period set forth in 37 C.F.R.
		1.97	(b), but is believed to be filed before the mailing date of a final action under §1.113
		or a	notice of allowance under §1.311, whichever occurs first.
		(1)	The undersigned attorney certifies that each item of information contained in this
			Information Disclosure Statement was cited in a communication from a foreign
			patent office in a counterpart foreign application not more than three months prior
			to the filing of this statement;
		(2)	The undersigned attorney certifies that no item of information contained in this
			Information Disclosure Statement was cited in a communication from a foreign
			patent office in a counterpart foreign application or, to the knowledge of the
			undersigned attorney after making reasonable inquiry, was known to any
			individual designated in §1.56(c) more than three months prior to the filing of this
			statement; or
		(3)	This Information Disclosure Statement is accompanied by a transmittal letter in
			which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is
			authorized.

William C. Coppola, Reg. No. 41,686

Aventis Pharmaceuticals Inc.
Patent Department
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-4854
Telefax (908) 231-2626

Aventis Docket No. USAV2001/0077US NP

Please type a plus sign (+) inside this box

Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO

Under the Paperwork Reduction Act of 1995, no persons are

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 3

to a collection of information	on unless it contains a valid OMB control nun	nber.					
C mpl t if Known							
Application Number	10/603,214						
Filing Date	06-25-2003						
First Named Inventor	BARKER						
Group Art Unit							
Examiner Name							
Attorney Docket Number	USAV2001/0077 - US - NP						

				U.S. PATENT DOCU	JMENTS	
Examiner Initials*	Cite No.1	Number	cument ind Code <sup>2</sup> f known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		2003/0140923 A	.1	TAYLOR et al	07-31-2003	rigures Appear
		3,442,686		JONES	05-06-1969	
		4,145,001		WEYENBERG et al.	03-20-1979	
		4,150,744		FENNIMORE	04-24-1979	
		4,332,845		NAWATA et al.	06-01-1982	
		4,407,897		FARRELL et al	10-04-1983	
		4,449,632		MARUSIAK Jr.	05-22-1984	
		4,528,234		KAIHO et al	07-09-1985	
		4,657,133		KOMATSU et al.	04-14-1987	
		4,667,814		WAKAMATSU et al.	05-26-1987	
		4,702,963		PHILLIPS et al.	10-27-1987	
		4,971,196		KITAMURA et al	11-20-1990	
		5,221,566		TOKOH et al.	06-22-1993	
		5,300,138		FISCHER et a.	04-05-1994	
		5,322,161		SHICHMAN et al.	06-21-1994	
		5,567,488		ALLEN et al.	10-22-1996	
		5,657,748		BRAITHWAITE	08-19-1997	
		5,911,937		HEKAL	06-15-1999	
		6,050,400		TASKIS et al.	04-18-2000	
		6,103,141		INCORVIA et al.	08-15-2000	

				FOR	EIGN PATENT DOCUMENT	rs		
Examiner	Cite		Foreign Patent Do	cument Kind Code <sup>5</sup>	Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	T
Initials*	No.1	Office	3 Number4	(if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T <sub>6</sub>
		JP	58-148759		NAOE et al.	09-03-1983		
		wo	93/11938		WILFONG et al.	06-24-1993		
		wo	03/043905		BARKER et al	05-30-2003		Ŀ
								╁╌╡
								+
								$\Box$

Examiner	Date
Signature	Considered
- ignator o	Considered

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box > If the Paperwork Reduction Act of 1995, no persons of 1995, no persons of

PTO/SB/08A (10-96)
Approved for use through 10/31/99. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE nder the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995, no persons at require the Paperwork Reduction Act of 1995,

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 3

C	C mpl te if Known						
Application Number	10/603,214						
Filing Date	06-25-2003						
First Named inventor	BARKER						
Group Art Unit							
Examiner Name							
Attorney Docket Number	USAV2001/0077 - US - NP						

				U.S. PATENT DOCU	JMENTS	
Examiner Initials*	Cite No.1	U.S. Patent I	Cocument Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		6,306,503 B1		TSAI M L	10-23-2001	
		6,315,112 B1		GARRILL et al.	11-13-2001	
		6,316,521 B1		DISCH et al.	11-13-2001	
	-,					
						· · · · · · · · · · · · · · · · · · ·
					<u> </u>	
					<del> </del>	
					i i	

FOREIGN PATENT DOCUMENTS										
Examiner	Cite		oreign Patent Do	cument Kind Code <sup>5</sup>	Name of Patentee or	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant			
Initials*		No.1	Office <sup>3</sup>	Number <sup>4</sup>	(if known)	Applicant of Cited Document	MM-DD-YYYY	Passages or Relevant Figures Appear	T6	
								╀		
		<del>                                     </del>						╁		
								$\perp$		
			· · · · · · · · · · · · · · · · · · ·					+		
		l I	•				•			

Examiner	Date	. –	
Signature	 Considered		

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

• 3 .

Sheet

PTO/SB/08B (10-96)
Approved for use through 10/3/199. OMB 0651-0031
Under the Paperwork Reduction Act of 1995, no persons are required to a collection of information unless it contains a valid OMB control number.

				to the state of th				
Substit	ute for form 1449B/P	то		C mplet if Kn wn				
	ODMATIO		1001 00115-	Application Number	10/603,214	t		
			ISCLOSURE	Filing Date	06-25-2003	t		
STA	TEMENT	BY	APPLICANT	First Named Inventor	BARKER	t		
				Group Art Unit		t		
	(use as many	sheet	s as necessary)	Examiner Name		t		
neet	3	of	3	Attorney Docket Number	LISAV/2001/0077 - LIS - NIP	t		

	7	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Τ.
		, Guidance for Industry-Metered Dose Inhaler (MDI) and Dry Powder Inhaler (DPI) Drug Products, U.S. Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (CDER), October, 1998	
		, Guidance for Industry-Submission of Documentation in Drug Applications for Container Closure Systems Used for the Packaging of Human Drugs and Biologics, U.S. Department of Health and Human Services, Food and Drug Administration; Center for Drug Evaluation and REsearch (CDER) and Center for Biologics Evaluation and Research (CBER), June 1997	
		`	
			_
	ĺ		

Examiner		Date	
1 ~ . '	,	Date	1
Signature		Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.